

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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FRANK QUAGLIA,

Plaintiff,

-against-

Civil Action No. 04-10460 RWZ

BRAVO NETWORKS, NATIONAL
BROADCASTING COMPANY, INC., doing
business as NBC; RAINBOW
PROGRAMMING HOLDINGS, INC., and
DOES 1-10,

Defendants.

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DEFENDANTS' JOINT MOTION FOR SUMMARY JUDGMENT

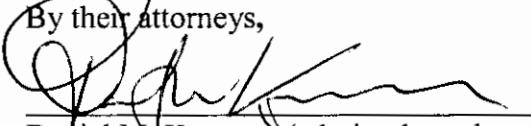
Defendants National Broadcasting Company, Bravo Company, sued as Bravo Networks, and Rainbow Media Holdings LLC, sued as Rainbow Programming Holdings, Inc. (referred to collectively as "Defendants"), move for summary judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure, dismissing all of the claims asserted by plaintiff Frank Quaglia ("Quaglia" or "Plaintiff") for copyright infringement, and breach of confidence and implied contract. In support hereof, Defendants rely upon their Statement of Undisputed Facts, Memorandum of Law, and the Declarations of Barry I. Slotnick, Esq., Debbie DeMontreux, Lauren Friedland Eskelin and Laura Pierce and the appended exhibits, filed herewith.

WHEREFORE, Defendants respectfully request that this Court grant their motion for summary judgment on all claims asserted in this action and dismiss the Complaint with prejudice in its entirety.

Respectfully submitted,

BRAVO COMPANY (sued as BRAVO NETWORK) and NBC UNIVERSAL, INC. (formerly known as and sued as NATIONAL BROADCASTING COMPANY, INC.)

By their attorneys,


Daniel M. Kummer (admitted *pro hac vice*)
NBC UNIVERSAL, INC.
30 Rockefeller Plaza, Rm. 1091E
New York, NY 10112
(212) 664-4017

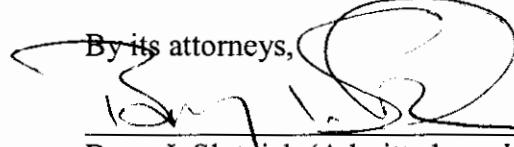
For all Defendants:

Jonathan M. Albano, BBO #013850
Serena D. Madar, BBO # 654326
BINGHAM MCCUTCHEN
150 Federal Street
Boston, Massachusetts 02110
(617) 951-8000

Dated: July 21, 2005

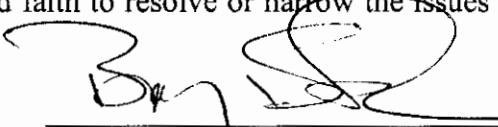
RAINBOW MEDIA HOLDINGS LLC (sued as RAINBOW PROGRAMMING HOLDINGS, INC.)

By its attorneys,


Barry I. Slotnick (Admitted *pro hac vice*)
Laura M. Vasey (Admitted *pro hac vice*)
LOEB & LOEB LLP
345 Park Avenue
New York, New York 10154
(212) 407-4000

RULE 7.1(A)(2) CERTIFICATION

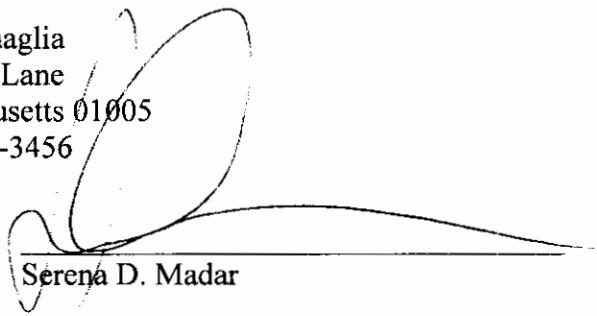
I, Barry I. Slotnick, hereby certify that on July 19, 2005, I conferred with Frank Quaglia, the plaintiff in this action, and attempted in good faith to resolve or narrow the issues presented in the within motion.


Barry I. Slotnick

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of July 2005, a true copy of Defendants' Joint Motion for Summary Judgment, Memorandum of Law in Support of Defendants' Joint Motion for Summary Judgment, Defendants' Statement of Undisputed Facts in Support of Their Joint Motion for Summary Judgment, and the Declarations of Barry I. Slotnick, Esq., Debbie DeMontreux, Lauren Friedland Eskelin and Laura Pierce and the appended exhibits, were served by overnight mail upon:

Frank Quaglia
35 Terry Lane
Barre, Massachusetts 01005
(978) 355-3456


Serena D. Madar